

EXHIBIT 10

WAYMO & UBER CONFIDENTIAL - ATTORNEYS EYES ONLY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

---oOo---

WAYMO LLC,

Plaintiff,

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING,
INC.,

Defendants.

/

WAYMO & UBER CONFIDENTIAL ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CAMERON POETZSCHER

SAN FRANCISCO, CALIFORNIA

MONDAY, JUNE 19, 2017

BY: ANDREA M. IGNACIO,
CSR, RPR, CRR, CCRR, CLR
CSR LICENSE NO. 9830
JOB NO. 2642012

Pages 1 - 374

Page 1

WAYMO & UBER CONFIDENTIAL - ATTORNEYS EYES ONLY

1 A No, no. It happens automatically. 14:41

2 Q Okay. Okay. All right. 14:41

3 So, you had this discussion with him in -- on 14:41

4 or about March 11th, 2016, and he says he's ident- -- 14:41

5 identified these disks. 14:41

6 Do you recall how many he said he had? 14:41

7	A	He said it was a system that had five disks	14:41
---	---	---	-------

8 in it. The way he described it is an array, which 14:41

9 means done in an array of expensive disks. So 14:42

10 essentially, the cheap disks -- there's five of them. 14:42

11 So if one fails, it's on the other. You know, I'm not 14:42

12 a technology expert, but that was my understanding. 14:42

13 So, it's essentially one set of five disks. 14:42

14 Q And was the same material still on his hard 14:42

15	drive?	14:42
----	--------	-------

16 A You mean his computer hard drive? 14:42

17	Q Right.	14:42
----	----------	-------

18 A As I understood it, he no longer had that 14:42

19 | hard drive. Either he'd returned it to Google or 14:42

20 something. He didn't have the hard drive. He simply 14:42

21 had the backup that had been attached to the hard 14:42

22 drive. He had just recently found that in storage or 14:42

23 | something. 14:42

24 Q And, as far as you know, the hard drive 14:42

25 itself had been returned to Google when he left 14:42

WAYMO & UBER CONFIDENTIAL - ATTORNEYS EYES ONLY

1 Google? 14:42

2 A Either returned to Google, disposed of, 14:42

3 whatever. This was something that was portrayed to us 14:42

4 as something that had happened in the past. He had 14:42

5 just discovered that he still had the backed-up disks 14:42

6 that had the old backup of the computer that he no 14:42

7 longer had. 14:42

8 Q And -- and you don't know specifically what 14:42

9 happened to the hard drive? 14:42

10 A No, I don't. 14:42

11 Q So, once Mr. Levandowski told the group at 14:42

12 this meeting that he'd discovered these disks from the 14:43

13 backup system, what -- what was he told to do? 14:43

14 A So Travis said, Do not bring anything from 14:43

15 Google or otherwise to Uber. 14:43

16 Q Anything else? 14:43

17 A Did Travis say anything else? 14:43

18 Q Yes. 14:43

19 A No, not -- not then, no. 14:43

20 Q Did anybody else at the meeting say anything 14:43

21 else? 14:43

22 A Yes. So I then said, Yeah, get rid of it. 14:43

23 And then Travis immediately -- as soon as I 14:43

24 said that, Travis pointed at me and looked at Anthony 14:43

25 and said, Don't listen to him, you know. Talk to your 14:43

WAYMO & UBER CONFIDENTIAL - ATTORNEYS EYES ONLY

1 lawyer. 14:43

2 And then, as soon as Travis said that, I 14:43

3 realized I had said an ill-advised thing. And so I 14:43

4 said, "Yeah, listen to Travis, not me," or something 14:43

5 to that effect. 14:43

6 So that all happened in quick sequence. 14:43

7 Q Okay. So Travis told Mr. Levandowski, We 14:43

8 don't want you to bring the Google stuff to Uber; 14:43

9 right? 14:43

10 A Correct. 14:43

11 Q You told Mr. Levandowski to get rid of it? 14:43

12 A Correct. 14:43

13 Q And then Travis corrected you and said, No, 14:43

14 talk to your lawyers? 14:43

15 A Uh-huh. He immediately corrected me and 14:43

16 said, "Don't listen to him," as in me. "Talk to your 14:44

17 lawyer." 14:44

18 And then I immediately, you know, endorsed 14:44

19 Travis' correction of myself and said, Yeah, don't 14:44

20 listen to me. Talk to your lawyer. 14:44

21 Q And this was all at that same meeting? 14:44

22 A This was all at that same meeting. 14:44

23 Q Did anyone, other than you and Travis, 14:44

24 respond to Mr. Levandowski's revelation that he had 14:44

25 found these five backup disks in his possession? 14:44

WAYMO & UBER CONFIDENTIAL - ATTORNEYS EYES ONLY

1 A Not that I recall. 14:44

2 Q And how did Mr. Levandowski respond to what 14:44
3 you and Travis told him at that meeting? 14:44

4 A I mean, I think it was something as simple 14:44
5 as, "Okay," something like that. At least the 14:44
6 impression I had leaving the meeting was that he had 14:44
7 understood and would, you know, talk to his lawyer. 14:44

8 Q And was this -- let me start over. 14:44

9 So -- so you had this meeting on -- on or 14:44
10 about March 11th, 2016, and these disks were 14:44
11 discussed. 14:44

12 Was there anything else discussed at that 14:44
13 meeting? 14:44

14 A Again, I can't recall. That would suggest 14:44
15 there are other topics. I just don't know whether 14:44
16 that was the same meeting or not. 14:44

17 Q So, sitting here today, your rec- -- your 14:45
18 recollection of the meeting, in which the disks were 14:45
19 discussed, was it a meeting -- meeting just about the 14:45
20 disks? 14:45

21 A I don't recall that. I do believe there were 14:45
22 other topics. I -- I think it's likely there were 14:45
23 these topics since it's the same date. 14:45

24 MR. JACOBS: Pointing to 280? 14:45

25 THE WITNESS: Yeah, pointing to 280, the 14:45

WAYMO & UBER CONFIDENTIAL - ATTORNEYS EYES ONLY

CERTIFICATE OF REPORTER

I, ANDREA M. IGNACIO, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [x] was [] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

Dated: June 20, 2017



ANDREA M. IGNACIO,

RPR, CRR, CCRR, CLR, CSR No. 9830